

REMARKS

By the foregoing amendments claim 4 has been cancelled and claims 1, 5, 6, and 26 have been amended and new dependent claims 40 and 41 have been added. Thus, claims 1, 5, 6, 8-15, 20, 21, 24-27, 29, 40 and 41 are in the application.

Claims 1, 4-6 and 25 were rejected in the outstanding Office Action under 35 U.S.C. §102(b) as being anticipated by the newly cited patent to Sandford, U.S. 5,515,749, as stated on pages 2-4 of the Office Action. Claims 1, 4-6, 8-15, 20, 21, 24, 27 and 29 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sandford U.S. 5,515,749 in view of Koelsch, U.S. 5,875,699. The references were combined for the reasons and in the manner stated on pages 4-7 of the Office Action. These rejections are hereby traversed and reconsideration thereof is respectfully requested in view of the above amendments to the claims and Applicant's remarks set forth below.

By the above amendments each of independent claims 1 and 26 have been amended to recite that the roller of the rotary die cutter has a threaded hole pattern. Further, the modular/configurable rotary die/rotary die cutter is described as including a plurality of adjustable die mounting clamps including means for securing the die components anywhere on the roller of the rotary die cutter regardless of the threaded hole pattern. See page 26 of the specification wherein with respect to the illustrated embodiment, it is stated that the die mounting clamp 9 of the invention enables a single die component - or a fully assembled die comprised of various die components that are interlocked together - to be mounted and secured on a roller regardless of the threaded-hole pattern. The die mounting clamp can utilize a roller's existing,

standard, threaded, mounting hole pattern. This capability provides flexibility in mounting and securing dies that is not currently possible in the corrugated carton industry. These features of the invention are contrasted with the prior art where, in order to mount a die on the roller of a rotary die cutter, threaded attachment holes on the dies are pre-determined and fixed so that they match the exact hole pattern of an industry standard roller as described at the bottom of page 35 of Applicant's specification.

The newly cited patent to Sanford discloses a die registration and mounting system wherein mounting holes 14 and 15 of the die 10 must necessarily align with internally threaded mounting holes 24 on the roller/mounting drum 20. Sanford does not teach or suggest the use of a plurality of adjustable die mounting clamps having means for securing the die components anywhere on the roller of the rotary die cutter regardless of the threaded hole pattern as in the present invention. More specifically, Sanford teaches away from the use of die mounting clamps which includes slots with screws in the clamps for threading into threaded holes in the roller of the rotary die cutter at locations spaced from the die components to enable the die components to be secured anywhere on the roller of the rotary die cutter regardless of the threaded hole pattern. Sanford actually teaches away from the use of such features as the registration and mounting system therein seeks to align the die with the axial or circumferential direction of the indexing apertures 21 on the roller surface and limit the positions that the die components can be secured to the roller by bolts 61 passing through aligned openings in the die and internally threaded mounting ports 24 of the roller 20.

The present invention is further distinguished from Sandford in that the modular/configurable rotary die and rotary die cutter of the present invention have features for making a carton having at least one quick closing continuous closure panel. The die 10 shown in Figure 1 of Sandford is not one having a continuous closure panel as alleged in the Office Action, but rather a die for making a pop-up box that has a slot in the middle to allow for the flaps to fold.

Sandford also is specific to a dedicated die, even though the die may be composed of a number of die components through the use of joiner system 71 as depicted in Figure 4. There is no teaching in Sandford of a plurality of at least five interlocking modular die components which are capable of being combined in multiple configurations for producing multiple carton sizes as disclosed and claimed by Applicant, with at least one length die component which determines the length of the carton, at least one height die component which determines the height of the carton, and at least two closure panel die components which determine the width of the carton and produce respective fold-in panels of the at least one quick closing continuous closure panel. The reference also fails to teach or suggest the specific closure panel die components claimed by Applicant, which include two slit/cut blades each arranged for slitting a 45° angled line on a fold-in panel of a quick closing continuous closure panel, two perforation blades each arranged to cut and score the corrugated stock sheet to form a perforated straight line that is perpendicular to the length of the carton blank, and one scoring blade arranged to score a straight line at the bottom of the fold-in panel, parallel to

the length of the carton blank and between the two perforated lines formed by the two perforation blades.

The deficiencies of Sandford are not remedied by the secondary reference to Koelsch relied upon in the rejection of Applicant's claims under 35 U.S.C. §103(a). The patent to Koelsch has been discussed on pages 13 and 14 of Applicant's Appeal Brief, which comments are incorporated herein by reference. As noted therein, Koelsch refers to the use of dedicated dies as discussed in Applicant's specification and as referred to above. The present invention avoids the cost and inefficiency of maintaining such dedicated dies for each various size and type of carton through the use of the improved modular/configurable rotary die of the invention wherein a die is formed of a plurality of at least five interlocking modular die components capable of being combined in multiple configurations for producing multiple carton sizes, the plurality of die components being related to the three dimensions of the carton as well the at least one quick closing continuous closure panel as recited in Applicant's claims for facilitating the use of the die in multiple configurations for producing multiple carton sizes. Applicant's claims as amended are not rendered obvious, 35 U.S.C. §103, by Koelsch taken with Sandford.

In view of the above amendments and remarks, reconsideration and allowance of the amended claims is requested.

A Petition for Extension of Time has been filed herewith to permit the timely filing of this amendment.

Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-

2135 (Case No. 1011.42224X00) and please credit any excess fees to such deposit account.

Respectfully submitted,

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Attachments